



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 528 OF 2025
WITH
CRIMINAL APPLICATION NO. 1468 OF 2025

Datta Aba Shinde,
Age : 25 years, Occu. : Driver & Agri.,
R/o. Khairat Vasti, Washi, Tq. Washi,
Dist. Dharashiv.

... Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Washi Police Station, Tq. Washi,
Dist. Dharashiv.

... Respondent

.....

Mr. Santosh S. Jadhavar, Advocate for Applicant.
Mr. V. M. Jaware, APP for Respondent - State.
Mr. Kishor G. Gaikwad, Advocate for Applicant - Informant in
APPLN/1468/2025.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 24 APRIL 2025

PRONOUNCED ON : 25 APRIL 2025

ORDER :

1. Applicant seeks enlargement on regular bail on account of his arrest in Crime No.0244 of 2024 registered at Washi Police Station, Dharashiv for offence punishable under sections 103(1), 351(3), 3(5) of Bharatiya Nyaya Sanhita and under sections 3/25 and 9/25 of the Arms Act.

2. Criminal Application No.1468 of 2025 is allowed. The original complainant is permitted to assist the learned A.P.P.

3. Learned counsel for applicant submitted that, applicant is arrested in above crime on 07.09.2024. That, there are allegations of committing murder of wife. It is pointed out that, in fact marriage is of 13 years old. That, deceased died due to alleged firearm injuries. However, according to learned counsel, there is no eye witness. In fact, present applicant was at other place and informant himself speaks about applicant being brought by another person, namely Kalidas. Learned counsel submitted that, ballistic report is not received. That, case is based on circumstantial evidence and charge sheet having being filed in December 2024 and as no further recovery or discovery is to be made, he urges for grant of bail.

4. Learned APP as well as learned counsel for informant, have both opposed on the ground that, there is incriminating evidence about applicant shooting his wife. Learned APP pointed out that, investigating machinery has gathered materials showing that applicant manufactured and assembled firearms. That, after shooting his wife, he fled and later appeared. That, serious offence is committed. Therefore, they both opposed relief of bail.

5. Heard. Perused the papers. Report is by Vasant Kale, who reported that, his daughter Sonabai was married with present applicant Datta 13 years back. That, after one and half year, husband started suspecting character of informant's daughter i.e. his wife. Informant claims that, on 06.09.2024, phone call was received from father-in-law of his daughter and asked him to come their home as Sonabai was not feeling well. Therefore, he went and saw that his daughter had suffered injury on the abdomen. Informant claims that he made inquiry with father-in-law, but he said that he did not know how incident took place as he and his wife were in the house and they merely heard noise and then came out and found their daughter-in-law lying there. But, their son Datta was not present there. Police came and therefore on above report, crime has been registered.

6. Learned counsel for applicant pointed out that, applicant was elsewhere and he was brought by another person and in this regard, he took this court through the statement of Manik Dada Sopan and Kalidas Dalvi. On the other hand, learned APP has asserted that, investigation revealed that applicant after shooting his wife has fled. On visiting statements of above witnesses, it is emerging that, they all heard firecracker like noise,

visiting the spot and they saw Sonabai lying injured and a gun also lying there. Witnesses, namely Dada Sopan Kale and Manik Kale do state that after short while Kalu Dalvi came along with present applicant on motorcycle and after seeing wife in injured condition, he allegedly collapsed. Statement of Kalidas Dalvi is also recorded and he claims that between 11:30 to 12.00 noon, on hearing commotion and cries, he went and claims to have asked Aba Shinde, father-in-law and he allegedly informed that Sonabai suffered shock and to go and bring Datta from Kasarkhani. Therefore, here there is no direct eye witness of the occurrence. But, learned APP has pointed out that, investigation revealed that in the mobile of present applicant, there is video of steps of manufacturing country-made shotgun. Screenshots of mobile are part of charge sheet. Already father of deceased has reported about suspicion of character. In the light of above material on record, this court does not find it a fit case to grant bail at this stage.

7. The application stands rejected.

(ABHAY S. WAGHWASE, J.)